



Planning & Economic Development Department  
100 Hughes Road  
Madison, Alabama 35758

## Planning Commission Staff Report

**Date:** August 25, 2016

**Project Name:** Shelton Hill Subdivision

**Subject:** Variance to Section 4-4 of Subdivision Regulations to not require a Layout; and Preliminary Plat and Construction Plan Approval

**Applicant:** JWE Properties, LLC., 8624 Memorial Parkway SW, Huntsville, Alabama 35802

**Property Owner:** Miller Properties, Inc. 8006-20 Old Madison Pike, Madison, Alabama 35758

**Location:** East of Shelton Road and North of Old Madison Pike

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### Request Summary

The requested preliminary plat is to subdivide 15.66 acres into eight residential lots and two tracts. The variance would eliminate the requirement to submit a layout plan.



### Recommendation

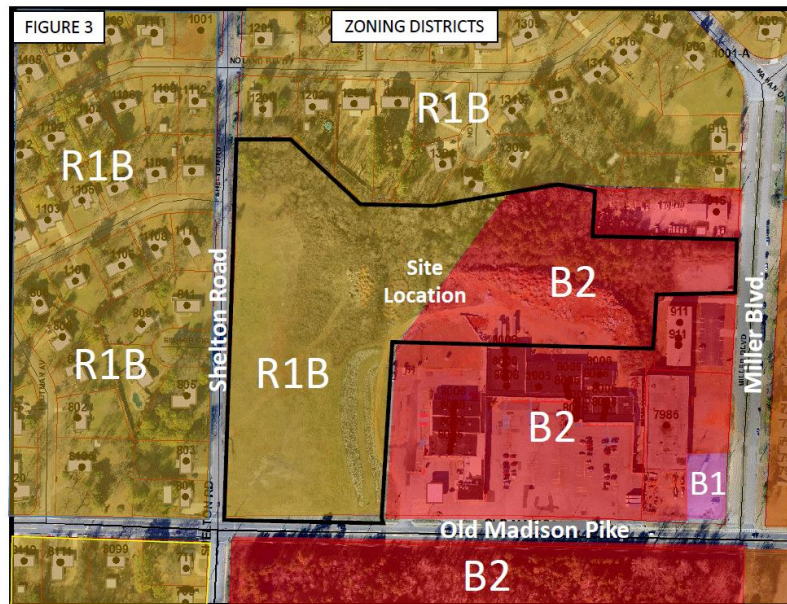
Motion to:

- A. "Approve the preliminary plat and construction plan for Shelton Hill Subdivision with contingencies," and
- B. "Approve the Variance to Section 4-4 of the Subdivision Regulations."



**Future Land Use, Zoning, and Existing Land Uses:**

<b>TABLE 1 LAND USE AND ZONING INFORMATION</b>			
<b>Location</b>	<b>Future Land Use Map</b>	<b>Zoning</b>	<b>Existing Land Use</b>
Subject Site	RL (Residential Low Density) & CN (Commercial Neighborhood)	R1B (Low Density Residential District) & B2 (Community Business) Pending rezoning request of 4.68 acres to R2 (Medium Density Residential )	Undeveloped
North of Subject Property	RL	R1B	Single-Family Subdivision
East of Subject Property	RHM (Residential High Density Multi-Family)	R4 (Multi-Family Residential)	Apartments
South and West of Subject Property	C	B2	Undeveloped
West of Subject Property (across Shelton)	RL	R1B	Single-Family Subdivision



**Conformance with Long Range Plans:**

**1. Land Use**

The Future Land Use Map shows the subject property and the adjoining properties to the north and west having the land use designation of RL (Residential Low Density), which according to the 1995 Comprehensive Plan, 2001 Executive Summary is compatible with the R1A and R1B (Low Density Residential Districts) and RC-1 (Residential Cluster Zone District 1). The requested R2 District is compatible with RM (Medium Density Residential).

The adjoining land to the east and south, which is currently part of the subject property has two different land use designations: RL and CN. The CN designation is compatible with B1 (Neighborhood Business District) and B2/S1 (Community Business District/Special District 1) but not the current zoning of B2.

2. Growth Plan

The subject property is part of the Old Madison Pike Key Development Area KDA. The Growth Plan recommends the subject property, Miller Plaza to the east and the Waverly Apartments east of Miller Boulevard be redeveloped as mixed use retail with or without residential. The KDA recommends a small scale commercial node on the south side of Old Madison Pike to take advantage of the morning commute. The Plan recommends medium density residential south of the commercial node with Miller Boulevard being extended south to Portal Lane. The Old Madison Pike KDA also emphasizes an upgrade to the Old Madison Pike/Slaughter Road intersection to create a City gateway. The Plan recommends greenways extending from Portal Lane to Old Madison. Old Madison Pike currently has sidewalks on both sides of the street and with greenways tying to the sidewalk creates a pedestrian network from the subject area to schools and recreational areas.

3. Parks & Recreation Master Plan

The Parks & Recreation Master Plan did not identify any new parks or improvements to existing parks in the area. The closest existing city park is located at the northern termination point of Shelton Road approximately ¼ mile to the east of the Old Madison Pike/Shelton Road intersection. The Parks Plan does echo the recommendation of the Growth Plan for a City gateway at the intersection of Old Madison Pike/Slaughter Road.

**Zoning & Subdivision Compliance:**

The proposed preliminary plat complies with Section 4-3 of the Zoning Ordinance, which regulates the dimensional requirements for the pending R2 District. The eight residential lots do not meet the required lot width requirement of the existing zoning of R1B.

The preliminary plat complies with the requirements of Section 4-5 of the Subdivision Regulations regulating the preparation of the preliminary plat. The construction plans are compliant with all provisions of the Subdivision Regulations, except for the possibility of unconsolidated fill on the lots, discussed below.

**Technical Review Committee:**

The Committee recommends approval of the application as requested with the contingencies.

The property was used as a landfill for several years, and staff is requiring a geotechnical report on whether the soils have consolidated enough to allow for the placement of buildings and whether the sanitary sewer can be installed at the proposed location. If unconsolidated fill is found where sanitary sewer is to be installed, the applicant most likely will install the sanitary sewer along Shelton Road. The other option would be to remove the bad soil and replace it with suitable fill material. Concerning the building pads, the method of making the soil suitable for a building will be determined by the Building Department.

### **Analysis**

The preliminary plat and construction plans meet all technical standards provided in the Zoning Ordinance and Subdivision Regulations, except for the possibility of unsuitable fill material caused from the property being used as a landfill. The reason staff still recommends approval of the preliminary plat and construction plans is because the geotechnical report is forthcoming, and if unconsolidated fill is found there are engineering solutions to stabilize the soil conditions.

### **Attachments**

1. Recommended Technical Review Committee Contingencies *Shelton Hill Subdivision*
2. Preliminary Plat received on August 10, 2016

Attachment No. 1

Recommended Technical Review Committee Contingencies  
Shelton Hill Subdivision

**Planning Department Comments**

1. Provide a geotechnical report that verifies if there is any unconsolidated fill in the proposed location of building pads. If unconsolidated fill is discovered, the Building Department will determine the method of solution.
2. Note 4: A 15 ft. PUDE is required along the front of each lot
3. A pedestrian access easement will be required where required sidewalk leaves the right-of-way and comes onto the adjacent lots.
4. The proposed 5 ft. concrete sidewalk along Shelton Road

**Engineering Department**

1. (PENDING) Provide the following note: Minimum Finished Floor Elevations (MFFE) shall be established for all lots. The MFFE shall meet current Building Code and Engineering Department requirements for storm water drainage. Any lot located within a Special Flood Hazard Area shall meet the City of Madison Flood Ordinance requirements for structures.
2. (PENDING) Provide the following note: All driveway locations shall be approved by the City of Madison Engineering Department. All corner lots shall have the driveway placed along the lot line opposite the intersection.
3. Provide Stormwater report that meets the City's MS4 requirements for 1.14" rainfall event, detention, etc.

**Madison Utilities (for information only)**

1. Provide a geotechnical report that verifies if there is any unconsolidated fill in the proposed location of the sanitary sewer.

Attachment No. 2

Shelton Hill Subdivision

Preliminary Plat

Received August 10, 2016

*(If viewed electronically from a link on the published agenda, this attachment  
can be found by clicking on the title of the project name listed on the agenda)*

August 25, 2015